

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Jeffrey Wells,

Plaintiff,

vs.

One Way Logistics, LLC, and LaJuanza
Laverte Dargins,

Defendants.

Civil Action No. 3:19-cv-3578-CMC-SVH

ORDER

This matter is before the court on Plaintiff Jeffrey Wells' ("Plaintiff") Motion for Default Judgment as to Defendant One Way Logistics, LLC ("One Way"). In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2), D.S.C., this matter was referred to United States Magistrate Judge Shiva V. Hodges for pre-trial proceedings and a Report and Recommendation ("Report") on dispositive issues. On February 1, 2021, the Magistrate Judge issued a Report recommending Plaintiff's Motion for Default Judgment as to One Way be denied as premature. ECF No. 40. The Magistrate Judge advised the parties of the procedures and requirements for filing objections to the Report and the serious consequences if they failed to do so. No party has filed objections and the time for doing so has expired.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *See Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a de novo determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b).

After reviewing the record of this matter, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court agrees with the Report. Accordingly, the court adopts and incorporates the Report and Recommendation by reference in this Order. Plaintiff's Motion for Default Judgment as to One Way is denied as premature. This matter is referred back to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

s/Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
Senior United States District Judge

Columbia, South Carolina
February 22, 2021